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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MEMC ELECTRONIC MATERIALS, INC., No. C 01-4925 SBA  
(Related to Case No. C 05-2133)  
Plaintiff,  
v.  
MITSUBISHI MATERIALS SILICON [Docket Nos. 508, 510]  
CORPORATION, et al.,  
Defendants.

**ORDER**

On November 4, 2005, Defendants filed a Miscellaneous Administrative Request to File Exhibits 21, 36, 37, 39 and 42 of the Declaration II of Matthew T. Powers in Support of Defendants' Motion for Summary Judgment of Non-Infringement and Invalidity of U.S. Patent No. 5,919,302 Under Seal Pursuant to Local Rule 79-5(d) and 7-11 [Docket No. 508].

Also on November 4, 2005, Defendants filed a Miscellaneous Administrative Request to File Exhibits 3, 4, 7, and Exhibit A to Exhibit 5 of the Declaration of Matthew T. Powers in Support of Defendants' Motion to Exclude the Expert Report Testimony and Testimony of Plaintiff's Expert Lucian Mule'Stagno Under Seal Pursuant to Local Rule 79-5(d) and 7-11 [Docket No. 510].

On December 8, 2005, counsel for Plaintiff, Duane Mathiowetz, filed two declarations [Docket Nos. 562, 563] responding to Defendants' November 4, 2005 Miscellaneous Administrative Requests.

For good cause showing,

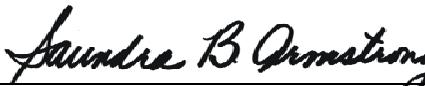
IT IS HEREBY ORDERED AS FOLLOWS:

1. Defendants' Miscellaneous Administrative Request to File Exhibits 21, 36, 37, 39 and 42 of the Declaration II of Matthew T. Powers [Docket No. 508] is GRANTED IN PART AND DENIED IN PART.
2. Defendants' Miscellaneous Administrative Request to File Exhibits 3, 4, 7, and Exhibit A to Exhibit 5 of the Declaration of Matthew T. Powers [Docket No.

1               510] is GRANTED IN PART AND DENIED IN PART.

- 2               3. Defendants' request to file Exhibit 21 and Exhibit 42 of the Declaration II of  
3               Matthew T. Powers in Support of Defendants' Motion for Summary Judgment  
4               of Non-Infringement and Invalidity of U.S. Patent No. 5,919,302 under seal is  
5               DEEMED WITHDRAWN. Such documents shall be filed as part of the public  
6               record.
- 7               4. Defendants' request to file Exhibits 36, 37, and 39 of the Declaration II of  
8               Matthew T. Powers in Support of Defendants' Motion for Summary Judgment  
9               of Non-Infringement and Invalidity of U.S. Patent No. 5,919,302 under seal is  
10              GRANTED. Such documents shall be filed under seal.
- 11              6. Defendants' request to file Exhibits 3, 4, 7 and Exhibit A to Exhibit 5 of the  
12              Declaration of Matthew T. Powers in Support of Defendants' Motion to Exclude  
13              the Expert Report Testimony and Testimony of Plaintiff's Expert Lucian  
14              Mule'Stagno under seal is DEEMED WITHDRAWN. Such documents shall be  
15              filed as part of the public record.

16              IT IS SO ORDERED.

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19              SAUNDRA BROWN ARMSTRONG  
20              United States District Judge

21              Dated: 12/19/05

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